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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Finkel, et al.**  
Application No. 10/673,882  
Attorney Docket No. CHOP.0210  
Filed: September 29, 2003  
For: METHODS AND COMPOSITIONS FOR INCREASING  
CD4<sup>+</sup>T LYMPHOCYTE IMMUNE RESPONSIVENESS  
Examiner: Not yet assigned  
Group Art Unit: 1648

**CERTIFICATE OF MAILING UNDER 37 C.F.R § 1.8(a)**

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to Mail Stop: Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.

12-15-2004  
Date of Certificate

Lynn G. Fischer  
Lynn G. Fischer

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR LISTING OF REFERENCES**

Applicants in the above-identified application are submitting herewith the following documents listing references that were considered and made of record in connection with Applicants' related patent applications:

A. Parent U.S. Application No. 10/313,923, filed December 5, 2002:

1. Form PTO-1449 from Information Disclosure Statement filed April 12, 2004.

B. U.S. Application No. 09/294,949, filed April 20, 1999, from which continuation 10/313,923 is based:

1. Form PTO-1449 from Information Disclosure Statement filed September 17, 1999.

It is respectfully requested that the references included in the above-listed information submitted herewith be listed on the face of the patent granted on the above-identified application, in accordance with the following provisions of §609 of the Manual of Patent Examining Procedure:

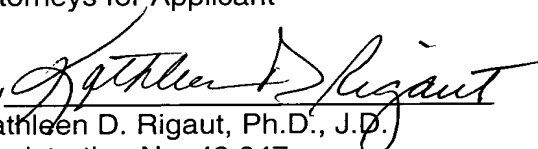
[T]he Examiner will consider information which has been considered by the Office in a parent application when examining (A) a continuation application filed under 37 CFR 1.53(b) or filed under former 37 CFR 160, (B) a divisional application filed under 37 CFR 1.53(b) or filed under form 37 CFR 1.60, or (C) a continuation-in-part application filed under 37 CFR 1.53(b). Such information need not be resubmitted in the continuing application unless applicant desires the information to be printed on the patent.

In the event any fee is due in connection with the consideration of this request, the Commissioner is authorized to charge any such fee to the account of the undersigned attorneys, Deposit Account No. 04-1406.

Respectfully submitted,

DANN DORFMAN HERRELL and  
SKILLMAN, P.C.  
Attorneys for Applicant

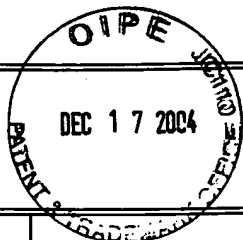
By

  
Kathleen D. Rigaut, Ph.D., J.D.  
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|  |                                 |                          |
|--|---------------------------------|--------------------------|
| FORM PTO-1449<br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE STATEMENT<br>(Use several sheets if necessary) | ATTY. DOCKET NO.<br>2879-60-1   | SERIAL NO.<br>10/313,923 |
|  | APPLICANT<br>Finkel et al.      |                          |
|  | FILING DATE<br>December 5, 2002 | GROUP ART<br>1643        |



## U.S. PATENT DOCUMENTS

| *EXAMINER<br>INITIAL |   | DOCUMENT<br>NUMBER | DATE     | NAME         | CLASS | SUB<br>CLASS | FILING DATE<br>IF APPROP. |
|----------------------|---|--------------------|----------|--------------|-------|--------------|---------------------------|
|                      | 1 | 5,157,115          | 10/20/92 | Taniguchi    | 536   | 27           |                           |
|                      | 2 | 5,700,461          | 12/23/97 | Schwartz     | 424   | 85.2         |                           |
|                      | 3 | 5,705,625          | 1/6/98   | Civin et al. | 536   | 23.5         |                           |
|                      | 4 | 5,837,544          | 11/17/98 | Capon et al. | 435   | 375          |                           |

## FOREIGN PATENT DOCUMENTS

|  |  | DOCUMENT<br>NUMBER | DATE | COUNTRY | CLASS | SUB<br>CLASS | TRANSLATION |    |
|--|--|--------------------|------|---------|-------|--------------|-------------|----|
|  |  |                    |      |         |       |              | YES         | NO |
|  |  |                    |      |         |       |              |             |    |

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |  |
|--|----|--|
|  | 5  | Berridge, <i>Immunology</i> , 17:155-178 (1997)  |
|  | 6  | Connors et al., <i>Nat. Med.</i> , 3(5):533-540 (1997)   |
|  | 7  | Darbyshire, J., <i>Trop. Med. Internat., Hlth.</i> , 5(7):A26-A31 (2000)                       |
|  | 8  | Fahey and Schooley, <i>Clin. Exp. Immunol.</i> , 88:1-5 (1992)                                 |
|  | 9  | Kaufmann et al., <i>Sex. Transm. Inf.</i> , 75:218-224 (1999)                                  |
|  | 10 | Kondo et al., <i>Immunity</i> , 7:155-162 (1997)   |
|  | 11 | Pericle et al., <i>J. Immunol.</i> , 160:28-31 (1998)  |
|  | 12 | Selliah, Experimental Biology 98 Conference Poster Presentation, pub. March 20, 1998, Abstract |
|  | 13 | Valdez and Lederman, <i>AIDS Clin. Rev.</i> , 187-228 (1997-98)                                |
|  | 14 | Valdez et al., <i>J. Lab. Clin. Med.</i> , 131:197-206 (1998)                                  |

|   |                 |
|---|-----------------|
| EXAMINER  | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |

|  |                               |                          |
|--|-------------------------------|--------------------------|
| FORM PTO-1449<br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br><br>INFORMATION DISCLOSURE STATEMENT<br>(Use several sheets if necessary) | ATTY. DOCKET NO.<br>2879-60   | SERIAL NO.<br>09/294,949 |
|  | APPLICANT<br>Finkel et al.    |                          |
|  | FILING DATE<br>April 20, 1999 | GROUP ART<br>1643        |

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|--|--|--------------------|------|---------|-------|--------------|-------------|----|
|  |  |                    |      |         |       |              | YES         | NO |
|  |  |                    |      |         |       |              |             |    |
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|  |  |                    |      |         |       |              |             |    |
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